

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first, joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title

A VCSEL HAVING IMPROVED TRANSVERSE MODE CONTROL BY OPTIMIZING THE INCREASED OXIDE APERTURE RELATIVE TO THE LASER DIMENSION

a [X] copy of which is being filed herewith, and [X] was filed **6 JULY 2004** under the PCT and given application no. **PCT/EP2004/007396**.

I hereby claim foreign priority benefits under Title 35, United States Code, section 119 of the foreign application for patent or inventor's certificate listed below:

Prior Foreign Application

Number	Country	Day/Month/Year Filed
03015307.6	European Patent Application	7 July 2003

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, section 1.56.

Power of Attorney

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, **Paul A. Fattibene**, Registration No. 31,694, and **Arthur T. Fattibene**, Registration No. 17,804. Please address all telephone calls and correspondence to the address associated with **Customer Number 02120** or to:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<i>Full Name of Sole Inventor</i>	<i>Inventor's Signature</i>	
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